

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

CENTRAL FAX CENTER

FEB 24 2004

Applicant: D.M. Shackelford
Serial No.: 09/409,617
Filed: October 1, 1999
TITLE: METHOD, SYSTEM, AND PROGRAM FOR DISTRIBUTING SOFTWARE
BETWEEN COMPUTER SYSTEMS

Examiner: Benjamin E. Lanier
Group Art Unit: 2132
Docket No.: TUC919990029US1

OFFICIAL

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted by facsimile to G. Barron, Jr. of the U.S. Patent and Trademark Office at 703-872-9306 on February 24, 2004.

David W. Victor

SUPPLEMENTAL RESPONSE AFTER FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants received an Advisory Action dated February 4, 2004 related to a final office action dated November 24, 2003 ("Final Office Action"). In the Advisory Action, the Examiner maintained the rejection of pending claims 1-40 as anticipated (35 U.S.C. §102) or obvious (35 U.S.C. §103) over prior art. In the Advisory Action, the Examiner disputed Applicants' arguments on the grounds that Applicants were arguing limitations not found in the claims. Applicants phoned the Examiner on February 23, 2004 to discuss that the Examiner was mistaken and that the argued limitations were in fact in the claims. The Examiner requested Applicants to submit a Supplemental Response explaining this position and that the Examiner would reconsider the rejection in view of such Supplemental Response.

Remarks/Arguments begin on page 2.

KONRAD RAYNES & VICTOR, LLP

315 S. Beverly Drive, Suite 210
Beverly Hills, California 90212

Telephone: (310) 556-7983
Facsimile: (310) 556-7984

OFFICIAL**FAX COVER SHEET****RECEIVED
CENTRAL FAX CENTER****FEB 24 2004**

**PLEASE DELIVER THIS FACSIMILE
TO EXAMINER BENJAMIN LANIER**

TO: Commissioner for Patents
Attn: Examiner Benjamin Lanier
Group Art Unit 2132
Patent Examining Corps
Facsimile Center
Washington, D.C. 20231

FROM: David W. Victor

OUR REF: 0018.0056
TELEPHONE: 310-556-7983

Total pages, including cover letter: 7

PTO FAX NUMBER 1-703-872-9306

If you do NOT receive all of the pages, please telephone us at 310/556-7983, or fax us at 310/556-7984.

Title of Document Transmitted: TRANSMITTAL: SUPPLEMENTAL RESPONSE
AFTER FINAL OFFICE ACTION

Applicant: D.M. Shackelford
Serial No.: 09/409,617
Filed: October 1, 1999
Group Art Unit: 2132
Docket No.: TU999029

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on February 24, 2004

By: 
Name: David Victor

#8
(~~100~~)
OK to
order
BZ
5/3/04

FORM PTO-1083

PATENT
TU999029
0018.0056IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
D.M. Shackelford
Serial No.: 09/409,617
Filed: October 1, 1999
For: METHOD, SYSTEM, AND PROGRAM
FOR DISTRIBUTING SOFTWARE
BETWEEN COMPUTER SYSTEMS

Examiner: Benjamin Lanier

Art Unit: 2132



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith in the above-identified application is an:
X Amendment 4 pages.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	40	MINUS 40	=	0	x	\$0	OR x 18 \$
INDEP CLAIMS	5	MINUS 5	=	0	x	\$0	OR x 88 \$
				+	\$0	OR + 280 \$	
<u> </u> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				TOTAL		\$0	OR TOTAL \$-0-

- Please charge Deposit Account No. 09-0449 the amount of \$ to cover the extension fee and also the amount of \$ to cover the claim fee. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$ to cover the extension fee is enclosed.
- A check in the amount of \$ to cover the filing fee is enclosed.
- A check in the amount of \$ to cover the petition fee is enclosed.
- X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0449. A duplicate of this sheet is enclosed.
- X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- X Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

David W. Victor
Registration No. 39,867
KONRAD RAYNES & VICTOR, LLP
315 S. Beverly Drive, Suite 210
Beverly Hills, CA 90212
(310) 558-7983 (voice)
(310) 558-7984 (fax)

Dated: February 24, 2004

I hereby certify that this correspondence is being transmitted by facsimile to Examiner G. Barron, Jr. at the U.S. Patent and Trademark Office at (703) 872-9306 on February 24, 2004.

David W. Victor

2/24/04
Date